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FROM Gary M. Butter  
DATE March 20, 2007  
PAGES 9

VOICE NO. 212 408-2546  
FAX NO. 212 259-2546  
RETURN TO C. Egan

TO Examiner Kin-Chan Chen  
USPTO

FAX NO. 571-273-8300  
VOICE NO.

## MESSAGE

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002

066340.0176

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Heger et al. Examiner : Chen, Kin-Chan  
Serial No. : 10/656,353 Art Unit : 1765  
Filed : September 5, 2003  
For : METHOD FOR DETERMINING THE END POINT FOR A  
CLEANING ETCHING PROCESS

I hereby certify that this paper for S/N 10/656,353 is being facsimile  
transmitted to 571-273-8300 at the United States Patent & Trademark Office  
on the date indicated below:

March 21, 2007

Date of Deposit

Gary M. Butter

Attorney Name

33,841

PTO Reg. No.

March 21, 2007

Date of Signature

FOLLOW UP TO PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT RESULTING FROM FAILURE TO RECEIVE  
NOTICE OF ALLOWANCE AND STATEMENT UNDER 37 C.F.R. § 1.181

The attached Petition to Withdraw Holding of Abandonment Resulting from Failure to  
Receive Notice of Allowance and Statement under 37 C.F.R. §1.181 was faxed to the United  
States Patent and Trademark Office on October 18, 2006. As of this date we have received no  
reply.

Applicants request that the holding of abandonment of the application be withdrawn and  
a copy of the Notice of Allowance, redated to the mailing date of the United States Patent and  
Trademark Office response to this communication be resent. Applicants further request that a  
copy of the Notice of Allowance be faxed to the undersigned at 212 259-2546.

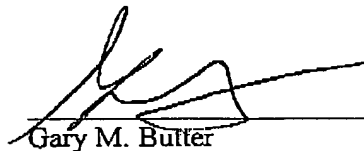
NY02:579586.1

066340.0176

Applicants do not believe that any fee is required in connection with the submission of this document. However, should any additional fee be required, or if any overpayment has been made, the commissioner is hereby authorized to charge any fees, or credit any overpayments made, to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.



Gary M. Butler  
Patent Office Reg. No. 33,841  
Attorneys for Applicants  
30 Rockefeller Plaza  
New York, NY 10012-4498  
212 408-2500

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Attorney Docket No. A35976, 066340.0176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Heger et al. Examiner : Chen, Kin-Chan  
 Serial No. : 10/656,353 Art Unit : 1765  
 Filed : September 5, 2003  
 For : METHOD FOR DETERMINING THE END POINT FOR A  
 CLEANING ETCHING PROCESS

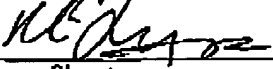
I hereby certify that this paper for S/N 10/656,353 is being facsimile  
 transmitted to 571-273-8300 at the United States Patent & Trademark Office  
 on the date indicated below:

October 18, 2006

Date of Deposit

Manu J. Teiwani

Attorney Name

  
 Signature

37,952

PTO Reg. No.

October 18, 2006

Date of Signature

PETITION TO WITHDRAW HOLDING OF  
 ABANDONMENT RESULTING FROM FAILURE TO  
 RECEIVE NOTICE OF ALLOWANCE AND  
STATEMENT UNDER 37 C.F.R. § 1.181

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

We have received a Notice of Abandonment (copy enclosed) in this case for

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
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Applicant : Heger et al. Examiner : Chen, Kin-Chan  
Serial No. : 10/656,353 Art Unit : 1765  
Filed : September 5, 2003  
For : METHOD FOR DETERMINING THE END POINT FOR A  
CLEANING ETCHING PROCESS

MAR 21 2007

I hereby certify that this paper for S/N 10/656,353 is being facsimile  
transmitted to 571-273-8300 at the United States Patent & Trademark Office  
on the date indicated below:

October 18, 2006

Date of Deposit

Manu J. Teiwani

Attorney Name



Signature

37,952

PTO Reg. No.

October 18, 2006

Date of Signature

**PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT RESULTING FROM FAILURE TO  
RECEIVE NOTICE OF ALLOWANCE AND  
STATEMENT UNDER 37 C.F.R. § 1.181**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We have received a Notice of Abandonment (copy enclosed) in this case for  
"Applicant's failure to timely pay the required issue fee and publication fee." The USPTO had  
apparently mailed a Notice of Allowance and Fee(s) Due on June 6, 2006 as now seen on PAIR.

Unfortunately, applicants' attorneys of record, Baker Botts L.L.P., did not receive  
the Notice of Allowance and, therefore, could not timely pay the fees due. In accordance with  
M.P.E.P. Section 711.03(c) II, applicants' undersigned counsel hereby attests that we have

searched the file jacket and the docket records of this office and have been unable to uncover any indication that the Notice of Allowance and Fee(s) Due ever received.

A printout of the pertinent portions of the computer e-mail list of the Baker Botts employee, who receives, docket, and forwards e-copies of incoming PTO paper mail to attorneys within Baker Botts, is appended hereto as Exhibit 1. The Exhibit lists all e-copied incoming PTO mail for our client "006340", for the period 5/30/2006 to 10/17/2006. The printout shows no entry for client-matter number 066340.0176 or Attorney Docket No. A35976 corresponding the above-identified application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicants request the holding of abandonment of the application be withdrawn and a copy of the Notice of Allowance, redated to the mailing date of the PTO's response to this communication, be resent. Applicants further request that a copy of the Notice of Allowance be faxed to the undersigned at 212-259-2414.

Applicants do not believe that any fee is required in connection with the submission of this document. However, should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:

  
Manu J Tejawani

Patent Office Reg. No. 37,952

*Attorneys for Applicants*

30 Rockefeller Plaza

New York, NY 10012-4498

212-408-2500

Exhibit 1

From	Subject	Date
Butter, Gary M.	066340.0141 - A34941	Thu 2/9/2006 11:...
Butter, Gary M.	066340.0144 - (A35056)	Wed 4/12/2006 2:...
Butter, Gary M.	066340.0177 - (A36020)	Wed 4/19/2006 1:...
Butter, Gary M.	066340.0168 - (A35814)	Fri 4/21/2006 1:0...
Butter, Gary M.	066340.0174 - (A35962)	Mon 5/1/2006 4:...
Butter, Gary M.	066340.0178 - (A36021)	Wed 5/3/2006 12:...
Torres, Jillian	RE: Offsite 066340.0147	Tue 5/16/2006 1:...
Butter, Gary M.	066340.0195 - (A36287)	Wed 5/24/2006 3:...
Butter, Gary M.	066340.0185 - (A36189-PCT-USA)	Tue 5/30/2006 1:...
Butter, Gary M.	066340.0126 - (A33890)	Mon 6/5/2006 2:...
Butter, Gary M.	066340.0142 - (A34942)	Thu 6/15/2006 1:...
Butter, Gary M.; ...	066340.0148 - (A35190-PCT-USA)	Fri 6/23/2006 3:1...
Lewis, Sharren; H...	RE: URGENT FILE REQUEST - 066340.0209	Wed 7/5/2006 11:...
Butter, Gary M.	066340.0186 - (A36204)	Wed 7/5/2006 3:...
Butter, Gary M.	066340.0221 - (A36523)	Wed 7/5/2006 4:...
Langelotti, Josep...	RE: file needed - 066340.0209 - did you send me this Lippert file?	Thu 7/6/2006 11:...
Butter, Gary M.; ...	066340.0131 - (A34394-PCT-USA)	Thu 7/6/2006 4:2...
Egan, Catherine T...	FW: File 066340.0221	Mon 7/10/2006 3:...
Egan, Catherine T.	RE: File 066340.0221	Mon 7/10/2006 3:...
Egan, Catherine T.	FW: 066340.0186 - (A36204)	Tue 7/11/2006 1:...
Egan, Catherine T.	RE: 066340.0186 - (A36204)	Tue 7/11/2006 1:...
Butter, Gary M.	066340.0210 - (A36359)	Fri 7/14/2006 4:0...
Butter, Gary M.	066340.0209 - (A36358)	Mon 7/17/2006 3:...
Butter, Gary M.	066340.0173 - (A35964)	Thu 7/20/2006 1:...
Butter, Gary M.	066340.0139 - (A34873-PCT-USA)	Mon 7/31/2006 3:...
Butter, Gary M.	066340.0162 - (A35738-PCT-USA)	Wed 8/2/2006 4:...
Butter, Gary M.	066340.0209 - (A36358)	Fri 8/4/2006 4:57...
Wanka, Jessica	RE: File Request from CPI	Mon 8/7/2006 3:...
Butter, Gary M.	066340.0140 - (A34921-PCT-USA)	Mon 8/7/2006 3:...
DL NY Records	File is needed in docketing...	Mon 8/7/2006 3:...
Lewis, Sharren; D...	RE: File is needed in docketing...	Mon 9/11/2006 1:...
Butter, Gary M.	066340.0218 - (A36475-PCT-USA)	Tue 9/12/2006 4:...
Butter, Gary M.	066340.0166 - (A35764-PCT-USA)	Wed 9/13/2006 4:...
Butter, Gary M.	066340.0174 - (A35962)	Wed 9/20/2006 1:...
Butter, Gary M.	066340.0157 - (A35682-PCT-USA)	Mon 10/2/2006 3:...
Butter, Gary M.	066340.0149 - (A35269-PCT-USA)	Wed 10/4/2006 4:...
Butter, Gary M.	066340.0173 - (A35964)	Wed 10/4/2006 4:...
Egan, Catherine T.	RE: 066340.0173 - (A35964)	Tue 10/10/2006 ...
Butter, Gary M.	066340.0185 - (A36189-PCT-USA)	Tue 10/10/2006 ...
Butter, Gary M.	066340.0139 - (A34873-PCT-USA)	Mon 10/16/2006 ...
Butter, Gary M.	066340.0176 - (A35976)	Tue 10/17/2006 ...
Butter, Gary M.	066340.0186 - (A36204)	

→ Notice of Abandonment

Exhibit 1